

**RECEIVED**

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**STATE OF NEW MEXICO  
ENVIRONMENTAL IMPROVEMENT BOARD**

**IN THE MATTER OF THE APPEAL  
PETITION FOR HEARING ON  
AIR QUALITY PERMIT NO. 8585.**

**No. EIB 21-48**

**Earth Care New Mexico  
By Miguel Acosta Munoz, Co-Director  
and Linda Marianiello, as an individual;  
Petitioners.**

**v.**

**New Mexico Environment Department**

**COMMUNITY'S NOTICE OF ERRATA**

Earth Care New Mexico, by Miguel Acosta Munoz, Co-Director, Maria Martinez Adame, Miriam Ortiz Aguirre, and Linda Marianiello as individuals (hereinafter "the Community"), by and through undersigned counsel, hereby notifies the New Mexico Environment Department and all parties of the following erratum in the Community's February 8, 2022 Statement of Intent to Present Technical Testimony ("SOI") in the above-captioned matter:

1. Community EIB Exhibit 1: Written Report of Ranajit Sahu, footnote 21 on page 28 should be replaced to read, "03-24-21 TR at 535: 16-25."
2. Community EIB Exhibit 1: Written Report of Ranajit Sahu, Chart on page 4 should be changed to reflect the numbers represented in NMED's Air Dispersion Modeling Summary for Permit No. 8585 [**AR No. 6, Bates 000430-000439**]:

The Facility Concentration column should read:

Asphalt Fumes: 25.462, replacing 25.5

CO 1-hour: 665.902, replacing 665.9

CO 8-hour: 499.806, replacing 499.5

SO2 1-hour: 9.220, replacing 8.8

PM 2.5 24-hour: 25.020, replacing 1.87

PM 2.5 Annual: 4.320, replacing 0.44

PM 10 24-hour: 80.079, replacing 6.2

The Total Modeled Concentration column should read:

Asphalt Fumes: 25.462, replacing 25.5

SO2 1-hour: 14.530, replacing 8.8

PM 2.5 24-hour: 34.020, replacing 25.0

PM 2.5 Annual: 11.912, replacing 7.27

PM 10 24-hour: 130.753, replacing 92.8

The Percent of the Standards column should read:

Asphalt Fumes: 50.9, replacing 51.0

SO2 1 hour: 7.4, replacing 9.0

PM 2.5 24-hour: 97.2, replacing 98.6

PM 2.5 Annual: 99.3, replacing 96.6

PM 10 24-hour: 87.2, replacing 77.2

3. Community EIB Exhibit 10: Written Report of Michael Schneider:

- Paragraph 2, page 22: This paragraph should be amended because the permit condition now includes an hourly allowable asphalt fumes limit for P2HMASTK and P5HMASTK, however, the permit language still does not include testing requirements. The majority of Paragraph 2 should remain as is.

- Paragraph 3, page 23: This paragraph is no longer applicable to Permit No. 8585 because the most recent draft permit changed most references to ‘mineral filler’ as recommended.
- Paragraph 4, page 23: NMED has corrected the language at issue in Permit No. 8585 to reflect what pipeline quality gas it.

Dated: February 22, 2022

NEW MEXICO ENVIRONMENTAL LAW CENTER

*/s/ Maslyn K. Locke*

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### **CERTIFICATE OF SERVICE**

I certify that on the 22nd of February, 2022 a true and correct copy of the foregoing Notice of Errata was served via email to the following:

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/s/ Maslyn Locke      2.22.22